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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,659	03/10/2004	Gregory Fockler	D-1221 R1a	3936
28995	7590	09/08/2005	EXAMINER	
RALPH E. JOCKE walker & jocke LPA 231 SOUTH BROADWAY MEDINA, OH 44256			LABAZE, EDWYN	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

**Office Action Summary**

Application No.

10/797,659

Applicant(s)

FOCKLER, GREGORY

Examiner

EDWYN LABAZE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 June 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14 and 20 is/are allowed.
- 6) ☒ Claim(s) 1-6, 17 and 18 is/are rejected.
- 7) ☒ Claim(s) 7-13, 15, 16, 19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Receipt is acknowledged of amendments filed on 6/9/2005.
2. Claims 1-20 are presented for examination.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6, and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanna et al. (U.S. 6,761,308) in view of Do (U.S. 6,293,207).

Re claims 1 and 17: Hanna et al. {hereinafter referred as "Hanna"} discloses automated merchant banking apparatus and method, which includes a cash dispensing automated banking machine 10 (col.7, lines 21-45), wherein the machine 10 includes a door 160/174 hinged connection 218 with a machine body portion (col.18, lines 20+), wherein the machine includes a hinge cover [herein broadly interpreted as cover 46] arrangement, wherein the arrangement includes a hinge cover 46 (as shown in figs. # 19-22), wherein the arrangement includes a linkage 272, wherein the hinge cover 46 is operatively connected to the door 160 via the linkage 272, wherein the hinge cover 46 is operative to move toward or from a position covering the hinge 267 responsive to movement of the door 160 (col.20, lines 33-67; col.21, lines 1+).

Hanna fails to teach that the hinge cover is operative to move relative to the door responsive to movement of the door.

Do teaches ATM box or safe with concealed hinges and electronic lock, which includes a hinge cover {herein plate 49} that is operative to move relative to the door responsive to movement of the door 17 (col.2, lines 55-67; col.3, lines 1+).

In view of Do's teachings, it would have obvious to an artisan of ordinary skill in the art at the time the invention was made to employ into the teachings of Hanna a hinge cover is operative to move relative to the door responsive to movement of the door so as to conceal the joint bolts in operation to the door. Furthermore, such modification would enhance the security of door and the machine by protecting the hinges and preventing any possible access to the machine. Moreover, such modification would have been an obvious extension as taught by Hanna.

Re claim 2: Hanna teaches an apparatus and method, wherein the linkage includes at least a first member 184/272 and a second member 186/286, and wherein the first member is linked with the second member (col.15, lines 55-67).

Re claim 3: Hanna discloses an apparatus, wherein the first member 184/272 is in operative connection with the hinge cover 46 (col.20, lines 33+).

Re claims 4-5: Hanna teaches an apparatus and method, wherein the second member 286 is in operative connection [herein a support 298 in connection with the door 160] with the door, and wherein the first member is in operative connection with the body portion (col.20, lines 38+).

Re claim 6: Hanna discloses an apparatus and method, wherein the first member 184/272 includes a first end 270 and a second end 284, wherein the second member 186/286 includes a first end 294 and a second end 290 (see fig. # 22).

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Re claim 18: Hanna teaches an apparatus and method, wherein the cash dispensing automated banking machine comprises an ATM (as shown in fig. # 1), wherein the ATM 10 includes a currency dispenser and currency notes, wherein the currency dispenser is operative to dispense the currency notes from the ATM (col.3, lines 30+; col.7, lines 5-45; col.8, lines 25+; col.15, lines 5+).

*Allowable Subject Matter*

5. Claims 7-13, 15, 16 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claims 14 and 20 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: Although the prior art of record discloses a first member having a first end and a second end, a second member having a first end and a second end {Note that claim 6 of claimed invention does not specify that the first member and the second member of the linkage arrangement are physically separated from each other; as stated in claims 9 and 12}, but fails to teach that the first end of the second member is pivotally connected to the first member at a location intermediate the first and second ends of the first member, and wherein the second end of the second member is pivotally connected to the door; and wherein when the door is closed the hinge cover extends away from the body portion a first distance in a first direction and the door extends away from the body portion a second distance in the first direction, wherein the first distance is at least equal to the second distance, and wherein the hinge cover and the door have a substantially equal

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height. These limitations in conjunction with other limitations were not shown by the prior art of record.

***Response to Arguments***

7. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Do et al. (U.S. 6,206,284) discloses flexible configuration automatic teller machine.

Lee (US 2003/0121973) teaches media dispenser module and automated teller machine having the same.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWYN LABAZE whose telephone number is (571) 272-2395.

The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

el  
Edwyn Labaze  
Patent Examiner  
Art Unit 2876  
August 25, 2005



**THIEN M. LE**  
**PRIMARY EXAMINER**